



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Saenz, III**

Serial No.: **10/674,978**

Filed: **September 30, 2003**

For: **Automatic Bandwidth Control  
for File Servers with a Variable  
Priority Client Base**

**35525**

PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

§ Group Art Unit: **2143**  
§  
§ Examiner: **Unknown**  
§  
§ Attorney Docket No.: **AUS920030795US1**  
§

**Certificate of Mailing Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

**01-09-04**

By:

*Dell Whitton*  
Dell Whitton

**TRANSMITTAL DOCUMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Supplemental Information Disclosure Statement;
- Form PTO-1449;
- Reference AA; and
- Our return postcard.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to Deposit Account No. 09-0447.

Respectfully submitted,

*Duke W. Yee*  
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Registration No. 34,285

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ATTORNEY FOR APPLICANT



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Examiner: **Unknown**

Attorney Docket No.: **AUS920030795US1**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO-1449 be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. 1.97.

Please charge any fees necessary for prosecution of the present application to Deposit Account No. 09-0447. If any extension of time is required, such extension is hereby requested. Please charge any additional required fee for extension of time to Deposit Account No. 09-0447.

In accordance with 37 C.F.R. 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standards of materiality defined in 37 C.F.R. 1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. 1.56(a), last amended on November 28, 1988, or may merely be technical

background which may be of interest to the Examiner. In accordance with 37 C.F.R. 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) within three months of the filing date of the application, or before the mailing date of a first office action on the merits. No fee is required.

Respectfully submitted,

Date: \_\_\_\_\_

1/8/04

Duke W. Yee

Duke W. Yee

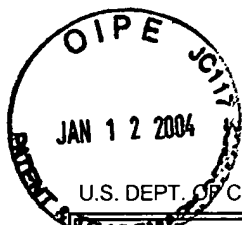
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U.S. DEPT. OF COMMERCE PATENT AND TRADEMARK OFFICE

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Form PTO-1449

**LIST OF PRIOR ART CITED  
BY APPLICANT***(Use several sheets if necessary)*

ATTORNEY DOCKET NO.

**AUS920030795US1**

SERIAL NO.

**10/674,978**APPLICANT **Saenz, III**FILING DATE **September 30, 2003**GROUP ART UNIT **2143****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	PUBLICATION DATE	INVENTOR NAME	CLASS/ SUBCLASS	FILING DATE

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	PUBLICATION DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO

**OTHER PRIOR ART** *(including author, title, date, pertinent page, etc.)*

	<b>AA</b>	<b>Sundaram et al., "Bandwidth Allocation in a Self-Managing Multimedia File Server", ACM Multimedia '01, Ottawa, Ontario, Canada, 7 pgs.</b>

**RELATED PATENT APPLICATIONS**

EXAMINER INITIAL	APPLICATION NO./ ATTY. DOCKET NO.	APPLICANT	TITLE	FILING DATE

**DATE CONSIDERED****EXAMINER**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.